

m/001/019

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BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

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IN THE MATTER OF TENTATIVE
DECISION TO APPROVE A MINING
MINING AND RECLAMATION PLAN
FOR INDIAN QUEEN MARBLE LLC,
BEAVER COUNTY, UTAH

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NOTICE OF TENTATIVE
DECISION TO APPROVE
NO. M/001/019

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THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION, MINERAL
AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS INTERESTED IN THE SE1/4
OF SECTION 33, TOWNSHIP 26 SOUTH, RANGE 13 WEST, SLBM, BEAVER COUNTY, UTAH.

Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to
approve Indian Queen Marble, LLC's Mining and Reclamation Plan for the Indian Queen Mine.
Revised mining activities will effect the following area: SE1/4 of Section 33, Township 26 South,
Range 13 West, SLBM, Beaver County, Utah.

The operator will employ the following mining and reclamation techniques on approximately
14.43 acres of PRIVATE land.

During Operations: Mining will be performed using heavy equipment including dozer, front end
loader, track drill, and dump trucks. Overburden and marble deposit will be drilled and blasted, then
removed in benches as a terraced quarrying operation. Overburden and waste rock will be disposed of
in the existing mine dumps. On-site processing will consist of primary and secondary crushing and
screening operations. The processed marble is selectively stockpiled onsite prior to truck or railroad
delivery to market. Concurrent reclamation will consist of ongoing reclamation of the previous
operator's mine disturbances which are no longer required for continued operations, or related to the
operator's proposed mine expansion.

After Operations: Trash and incidental refuse will be hauled away and disposed of at an approved
dump site. All facilities will be portable and removed at the end of the mining operations. All
remaining stockpiled marble will be removed from the site. The quarry will be backfilled and
recontoured with available waste material. The associated disturbed areas will be regraded and
topsoiled prior to seeding. The access road leading to the mine is a county road which will remain.
No highwalls or benches will be left following final reclamation. No pits, berms or barricades will
remain. The waste dump will be sloped to its natural contour and the existing ephemeral drainage to
the south will remain unrestricted.

The person representing the company is Mr. Gary Applegate; Phone (435) 882-2865. Indian
Queen Marble, LLC is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975,
Utah Code Ann. §40-8-18.

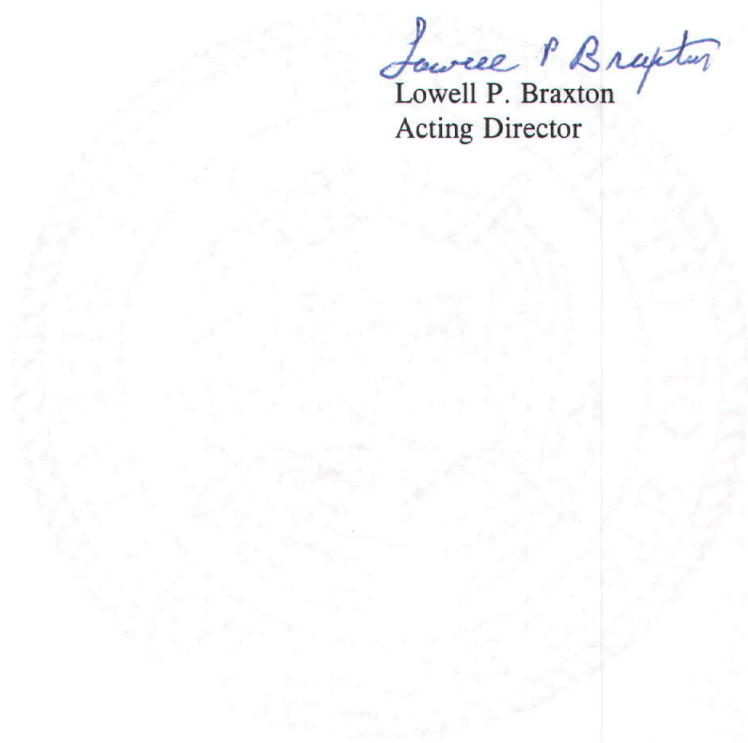
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Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Mary Ann Wright, Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 21st day of September, 1998

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING

Lowell P. Braxton
Lowell P. Braxton
Acting Director



CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Approval for Indian Queen Marble, LLC's Indian Queen Mine, file number M/001/019, to be sent via facsimile or mailed by first class mail, postage prepaid, the 21st day of September, 1998 to:

FACSIMILE: 237-2520
Salt Lake Tribune
Legal Advertising
143 South Main
P.O. Box 867
Salt Lake City, Utah 84110-0867

FACSIMILE - (435) 387-5521
Beaver County Monitor
Legal Advertising
450 North 100 East
P.O. Box 224
Milford, Utah 84751-0224

FACSIMILE - (435) 438-8804
Beaver Press
Legal Advertising
40 East Center Street
P.O. Box 351
Beaver, Utah 84713-0351

Certified Return Receipt
P 074 976 658
Gary Applegate
Indian Queen Marble, LLC
1275 North Main
P.O. Box 95
Tooele, Utah 84074

Craig Davis
Beaver County Zoning Authority
P.O. Box 1013
Beaver, Utah 84713



Joelle Burns, Secretary